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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,811	12/07/2001	James Huang	3626-0235P	9398
2292	7590	02/10/2005		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
			EXAMINER BASEHOAR, ADAM L	
			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/005,811	Applicant(s) HUANG, JAMES	
	Examiner Adam L Basehoar	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the communications: The Application filed 12/07/01, which claims Foreign priority to Taiwanese application 09122683 filed 09/12/01
2. Claims 1-27 are pending in the case. Claims 1, 10, and 19 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1, 3-4, 6-13, 15-19, 21-22, 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan (US: 5,208,906 05/04/93).

-In regard to independent claims 1, 10, and 19, Morgan teaches system, method, and computer readable medium for rearranging the layout of a business card (“generic form”)(column 3, lines 10-15), comprising:

a boundary obtaining module for obtaining the boundary (i.e. X-Y coordinates based on width and height) for a plurality of items selected by a user (columns 14 & 15, lines 53-67 & 14-61);

a first sorting module for sorting the items along a first direction (column 4, lines 1-7)(“horizontally or vertically”(Figs. 8A-B);

a first adjusting module for removing a no-text-content item (“bordered area”) from the first direction-sorted data (column 2, lines 31-40 & 63-67; column 3, lines 1-9) and adjusting the positions of the remaining items (column 3, lines 6-9) along the first direction (horizontal or vertical)(column 4, lines 1-7)(Figs. 8A-B) to rearrange the items according to a user request (i.e. user changes to the form).

-In regard to dependent claims 3, 12, and 21, Morgan teaches wherein the first direction-sorted data are stored in an array (column 14, lines 53-68)(Figs. 8A-B).

-In regard to dependent claims 4, 13, and 22, Morgan teaches a second sorting module for sorting the items along a second direction not parallel to the first direction (columns 4 & 14, lines 1-7 & 1-15)(“horizontally or vertically”)(Figs. 8A-B);

a second adjusting module for removing the no-text-content item (“bordered area”) from the second direction-sorted data (column 2, lines 31-40 & 63-67; column 3, lines 1-9) and adjusting the positions of the remaining items (column 3, lines 6-9) along the second direction (horizontal or vertical)(column 4, lines 1-7)(Figs. 8A-B).

-In regard to dependent claims 6, 15, and 24, Morgan teaches wherein the second direction was perpendicular to the first direction (column 3, lines 42-44)(i.e. horizontal is perpendicular to vertical and vice versa).

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-In regard to dependent claims 7, 16, and 25, Morgan teaches wherein the first direction-sorted data and second direction-sorted data was stored in a 2D array (Figs. 8A-B)(column 14, lines 53-67).

-In regard to dependent claims 8, 17, and 26, Morgan teaches wherein the request was evenly spreading the items within the boundary (columns 4 & 5, lines 67 & 1-3: "middle").

-In regard to dependent claims 9, 18, and 27, Morgan teaches wherein the request was aligning the items to the top of the boundary (columns 4 & 5, lines 67 & 1-3: "top").

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 5, 11, 14, 20, and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan (US: 5,208,906 05/04/93).

-In regard to dependent claims 2, 5, 11, 14, 20 and 23, Morgan teaches wherein the boundary obtaining module, the first and second sorting modules, and the first and second adjusting modules were in image processing software (column 9, lines 33-54: "the generation of the generic forms according to the present invention may be carried out by software programs"). Morgan does not specifically teach wherein the modules were macro language program modules

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on the software. It would have been obvious to one of ordinary skill in the art at the time of the invention for Morgan to have implemented the modules as macro language modules, because Morgan teaches that one of ordinary skill in the art could implement the modules on any number of programming languages to suit the needs of specific machines and procedures (column 9, lines 17-28). It would also have been obvious for Morgan to have used macro language program modules, because it was notoriously well known in the art at the time of the invention to use macros to combine commands to automate a specific set of processed steps for the purpose of saving time.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-5,459,825	10-1995	Anderson et al.
US-5,930,810	07-1999	Farros et al.
US-5,649,216	07-1997	Sieber, Johathan
US-6,765,689	07-2004	Benstein, Thomas

Microsoft Excel Screen Shots, 12/31/99, pp. 1-15

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (571)-272-4121.


The examiner can normally be reached on M-F: 7:00am - 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (703) 308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB


STEPHEN HONG
SUPERVISORY PATENT EXAMINER